



IN THE DRAWINGS

A proposed change to Fig. 6 is submitted herewith, with a  
Submission of Drawing Changes for Approval.



REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendment and the following remarks.

Fig. 6 has been amended to overcome the objection thereto. Specifically, Fig. 6 has been amended to include reference character 300.

Regarding the objection to the specification based on the lack of description for Fig. 7, the Applicant respectfully submits that a description of Fig. 7 is provided in the specification at least on page 18, lines 15-17. Thus, withdrawal of the objection to the specification is deemed to be warranted.

Claims 1, 4, and 7 stand rejected, under 35 USC §103(a), as being unpatentable over Kim et al. (US 2002/0061764) in view of Kim et al. (US 2003/0231612). Claims 2, 3, 5, 6, and 8 stand rejected, under 35 USC §103(a), as being unpatentable over Kim '764 in view of Kim '612 and Hamabe (US 2002/0115467). The Applicant respectfully traverses the rejections.

Applicant notes that Kim '612 is applied as a section 102(e) reference, having a filing date of June 16, 2003. This date is antedated by the Applicant's foreign priority date of August 20, 2002. The Applicant encloses a verified English translation of Applicant's Japanese priority document, JP 2002-239744, with a statement that the translation is accurate. It is submitted that

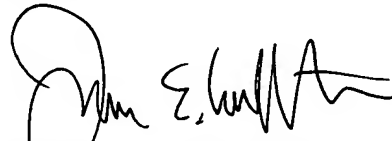
JP 2002-239744 supports all pending claims. Thus, the effective date of Kim '612 as a prior art reference is overcome.

Therefore, allowance of claims 1-8 is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

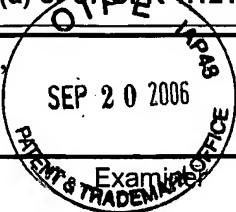
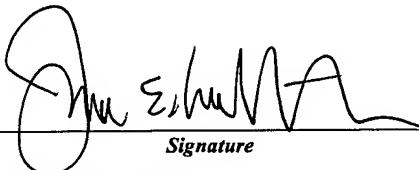
Respectfully submitted,



James E. Ledbetter  
Registration No. 28,732

Date: September 20, 2006  
JEL/DWW/att

Attorney Docket No. L9289.04167  
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|--|-------------------------|---------------------|---|----------------------------------|------------------|
| <b>SUBMISSION OF PROPOSED DRAWING AMENDMENT FOR APPROVAL BY<br/>EXAMINER (37 CFR 1.121(a) or 37 CFR 1.121(b)(3)(ii))</b>   |                         |                     |   | Docket No.<br><b>L9289.04167</b> |                  |
| In Re Application Of: <b>Akihiko NISHIO,</b>   |                         |                     |   |                                  |                  |
|   |                         |                     |   |                                  |                  |
| Application No.  | Filing Date             | Examiner            | Customer No.  | Group Art Unit                   | Confirmation No. |
| <b>10/511,727</b>  | <b>October 19, 2004</b> | <b>B. Safaipoor</b> | <b>52989</b>  | <b>2631</b>                      | <b>2571</b>      |
| Invention: <b>COMMUNICATION TERMINAL APPARATUS, BASE STATION APPARATUS, AND TRANSMISSION POWER CONTROL METHOD</b>  |                         |                     |   |                                  |                  |
| <div style="text-align: center;"> Address to:<br/> <b>Commissioner for Patents<br/>P.O. Box 1450<br/>Alexandria, VA 22313-1450</b> </div><br><br><p>Attached please find:</p> <p style="text-align: center;"><i>(check applicable items)</i></p> <p><input checked="" type="checkbox"/> a sketch in permanent ink</p> <p><input type="checkbox"/> a copy of the original drawing(s) with red ink</p> <p>showing proposed changes to the drawing(s) in this application for which the approval of the examiner is requested.</p><br><br><br><br><br><br><br><br><br><br><div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">  <p style="text-align: center;"><i>Signature</i></p> <p><b>James E. Ledbetter, Esq.<br/>Stevens, Davis, Miller &amp; Mosher, LLP<br/>1615 L Street, N.W., Suite 850<br/>Washington, DC 20036<br/>Tel: 202-785-0100<br/>Fax: 202-408-5200</b></p> </div> <div style="width: 45%;"> <p>Dated: <u>September 20, 2006</u></p> </div> </div> |                         |                     |   |                                  |                  |
| James E. Ledbetter, Esq.<br>Stevens, Davis, Miller & Mosher, LLP<br>1615 L Street, N.W., Suite 850<br>Washington, DC 20036<br>Tel: 202-785-0100<br>Fax: 202-408-5200   |                         |                     | I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on<br><br><div style="text-align: center;">_____<br/>(Date)</div> <div style="text-align: center;">_____<br/><i>Signature of Person Mailing Correspondence</i></div> <div style="text-align: center;">_____<br/><i>Typed or Printed Name of Person Mailing Correspondence</i></div> |                                  |                  |